

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3  
Eastern Division**

Ashley Vela

Plaintiff,

v.

Case No.: 1:21-cv-00703  
Honorable Steven C. Seeger

ITX Healthcare, LLC

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Thursday, March 4, 2021:

MINUTE entry before the Honorable Steven C. Seeger: The Court reviewed Plaintiff's Statement addressing the issue of standing. (Dckt. No. [12]) The Court appreciated the helpful filing. Plaintiff filed the case in state court, and Defendant later removed it to federal court. Plaintiff wants to be in state court. And Plaintiff basically agrees that the complaint does not allege an injury in fact sufficient to satisfy Article III. "Plaintiff did not allege facts relating to standing in the State Court Action: there is no allegation present in the State Court Action that the Plaintiff suffered a concrete harm or appreciable risk of harm apart from the statutory violation...." Again, "Plaintiff does not purport to have alleged fact in support of Article III standing." Plaintiff also made a correct point about which party has the burden. Defendant invoked federal jurisdiction when it removed the case, so the burden to establish standing under Article III rests on Defendant. See *Collier v. SP Plus Corp.*, 889 F.3d 894, 896 (7th Cir. 2018). By March 15, 2021, Defendant shall show cause why the case should not be remanded to state court for lack of standing. Plaintiff correctly notes that the remedy for lack of standing in this context would be remand, not dismissal. Mailed notice. (jjr, )

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